



Practioner's Pocket No. ST8725US

Corres. and Mail  
**BOX AF** PATENT

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JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donald A. Sargent et al.

Confirmation No. 3719

Application No.: 10/633,349

Group No.: 1744

Filed: August 1, 2003

Examiner: Monzer R. Chorbaji

For: METHOD AND DEVICE FOR DEACTIVATING ITEMS AND FOR MAINTAINING SUCH  
ITEMS IN A DEACTIVATED STATE

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP  
1744**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

STATUS

2. Applicant is other than a small entity .

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

XX with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

\_\_\_ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

  
Signature

Date: May 30, 2006

Laura K. Cahill

(type or print name of person certifying)

\* Only the date of filing ("1.6") will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under "1.8" continues to be taken into account in determining timeliness. See "1.703(f). Consider "Express Mail Post Office to Addressee" ("1.10) or facsimile transmission ("1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)		OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA		ADDIT. FEE
TOTAL	29	MINUS	23	= 6	x \$	50.00 = \$ 300.00
INDEP	6	MINUS	7	= 0	x \$	200.00 = \$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+ \$	0.00 = \$ 0.00
TOTAL						\$ 300.00
ADDIT. FEE						

Total additional fee for claims required \$300.00

### FEE PAYMENT

5. Authorization is hereby made to charge the amount of **\$300.00** to Credit card as shown on the attached credit card information authorization form PTO-2038.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0537.

A duplicate of this paper is attached.

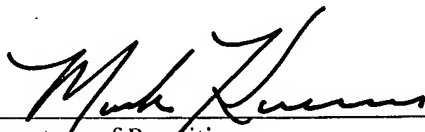
### FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 50-0537.

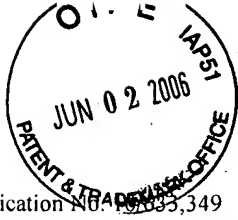
If any additional fee for claims is required, charge Account No. 50-0537.

Date: May 30, 2006

Reg. No.: 31,115  
Tel. No.: 440-684-1090  
Customer No.: 22203

  
\_\_\_\_\_  
Signature of Practitioner  
Mark Kusner

Kusner & Jaffe  
Highland Place - Suite 310  
6151 Wilson Mills Road  
Highland Heights, OH 44143



Application No. 10/633,349  
Response dated May 30, 2006  
OUTSTANDING OFFICE ACTION dated March 8, 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE APPLICATION OF : Donald A. Sargent et al.  
FOR : METHOD AND DEVICE FOR  
DEACTIVATING ITEMS AND FOR  
MAINTAINING SUCH ITEMS IN A  
DEACTIVATED STATE  
  
SERIAL NO. : 10/633,349  
FILED : August 1, 2003  
CONFIRMATION NO. : 3719  
EXAMINER : Monzer R. Chorbaji  
ART UNIT : 1744  
ATTORNEY DOCKET NO. : ST8725US

***RESPONSE UNDER CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1744***

**MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**RESPONSE TO FINAL OFFICE ACTION**

Dear Sir:

In response to the Office Action dated March 8, 2006, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.